

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	CRIMINAL NO.: 04-10159-NG
v.)	
)	
LUIS CABRERA)	
a/k/a Luis Alcantara)	
a/k/a Luis Cabreia)	
a/k/a Hector Rivera)	
a/k/a Hector Rivers)	

JOINT MOTION TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, and the defendant, by and through his attorney Lawrence Novack, Esq., move, pursuant to 18 U.S.C. §3161(h)(1)(F) and (h)(8)(A), to exclude the period of time commencing on May 10, 2006 and ending on September 7, 2006. As grounds therefor, the parties state that on May 10, 2006 the defendant moved for a Rule 11 hearing that will resolve some of the counts of the Indictment. This hearing has been scheduled for September 7, 2006. The parties need this additional time to determine whether a plea agreement can be reached that resolves the entire case, or whether a trial will be necessary to resolve some of the Counts listed in the Indictment.

WHEREFORE, the parties respectfully request, under 18 U.S.C. §3161(h)(1)(F) and (h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the above period in computing the time within which trial must commence under 18 U.S.C. §3161.

Respectfully Submitted,

LUIS CABRERA

By:

/s/ Lawrence Novack
LAWRENCE NOVACK
Attorney for LUIS CABRERA
(508) 587-8400

MICHAEL J. SULLIVAN

United States Attorney

By:

/s/ Seth P. Berman
SETH P. BERMAN
Assistant U.S. Attorney
(617) 748-3385

Dated: May 11, 2006

CERTIFICATE OF SERVICE

I certify that this document was filed through the ECF system, which will provide electronic notice to counsel as identified on the Notice of Electronic Filing.

/s/ Seth P. Berman

Seth P. Berman

Dated: May 11, 2006